



**AN ORDINANCE
BY CITY UTILITIES COMMITTEE**

00- O -1085

AN ORDINANCE TO AMEND CHAPTER 138, STREETS, SIDEWALKS AND OTHER PLACES, ARTICLE III, SECTION 138-103 OF THE CODE OF ORDINANCES, SO AS TO PROVIDE THAT THE CITY WILL INCUR THE COSTS OF REPAIRING SIDEWALKS WITHIN THE CITY OF ATLANTA, RATHER THAN ASSESS THE COSTS AGAINST THE ABUTTING PROPERTY OWNERS, AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has the authority to regulate the occupation and use of the public Sidewalks; and

WHEREAS, the City has determined that the Sidewalks are valuable public resources that have required and will continue to require substantial investment by the City; and

WHEREAS, the City does desire to manage the Sidewalks and provide for an orderly process by which affected persons may utilize them; and

WHEREAS, the Department of Public Works needs to conduct and maintain an inventory of the Sidewalks within the City limits; and

WHEREAS, it is in the best interests of the City to create and maintain a pedestrian friendly environment, thereby enhancing the safety, health and welfare of the citizens of the City of Atlanta.

NOW, THEREFORE BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

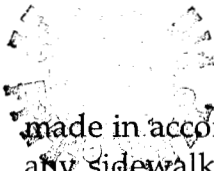
SECTION 1: That Section 138-103 "Inspection of sidewalks," which currently reads as follows:

"The director of the department of public works is authorized to inspect the sidewalks along public rights-of-way, to see that the sidewalks thereon are in a safe and suitable condition for public use and travel, to condemn promptly pavements on such sidewalks that are unsafe or unsuitable for public travel, and to cause repairs to be made in accordance with city law."

Be, and is hereby amended to read as follows:

"Inspection and repair of sidewalks.

The commissioner of the department of public works is authorized to inspect the sidewalks along public rights-of-way, to see that the sidewalks thereon are in a safe and suitable condition for public use and travel, to condemn promptly pavements on such sidewalks that are unsafe or unsuitable for public travel, and to cause repairs to be



made in accordance with city law; provided however, that the repair or replacement of any sidewalk authorized pursuant to this section shall be borne by the City and shall not be assessed against the abutting property owner.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed, to the extent of said conflict.